



Atty. Dkt. No. 029318-0497

AF / 1615
RECEIVED
TECH CENTER 1600/2900
OCT 15 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jain et al.

Title: Controlled Release Nanoparticulate Compositions

Appl. No.: 09/337,675

Filing Date: 06/22/1999

Examiner: Pulliam, A.

Art Unit: 1615

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals from the decision of the final rejection dated April 9, 2003, and the Advisory Action dated August 19, 2003, of the Examiner finally rejecting Claims 1-22 and 25-54.

[] Applicant claims small entity status.

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

10/10/2003 SSITHIB1 00000030 09337675

01 FC:1401
02 FC:1253

330.00 OP-
840.00 OP-

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$330.00
[X]	Extension for response filed within the third month:	\$950.00
[X]	Extension Already Obtained for first month:	\$110.00
	FEE TOTAL:	\$1170.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1170.00

- [] Please charge Deposit Account No. 19-0741 in the amount of \$1170.00 . A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$1170.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Oct 9, 2003



FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicants
Registration No. 34,717